

City of West Lafayette, Indiana
Board of Public Works and Safety
MINUTES

AUGUST 2, 2010
8:30 a.m.
City Hall Council Chambers

Members present were Bradley W. Marley, Elizabeth M. Stull, and Mayor John R. Dennis, who presided. Members Sana G. Booker and Jonathan C. Speaker were absent.

1. APPROVAL OF MINUTES

a. July 26, 2010, Meeting

Mr. Marley moved to accept the minutes of the July 26, 2010, Board of Works meeting. Ms. Stull seconded the motion. The motion was adopted.

2. NEW BUSINESS

a. Street Closure Request: Brown Street adjacent to Tapawingo Park – August 7, 2010 – Police

Police Sergeant Watson requested Board approval for partial closure of Brown Street for the Stand Up Lafayette – Gulf Coast Cleanup event. Mr. Benjamin Hagood is the coordinator of this effort, to raise money for the Gulf Coast cleanup. The event is scheduled for Saturday, August 7, from 1:00 p.m. to 7:00 p.m. The request is for closure of the dead-end of Brown Street, east of Tapawingo Park parking lot. A beer garden will be set up, and a permit was granted by the Excise Police. There will be bands in Tapawingo Park. West Lafayette Police officers will be present. Police and Fire Departments have no objections.

Ms. Stull moved that the request for street closure be approved. Mr. Marley seconded the motion. The motion was adopted.

b. Agreement: M.D. Wessler & Associates, Inc. – On-Call Wastewater Services and Task Order No. 2 – WWTU

Wastewater Utility Director Henderson explained that the agreement with Wessler & Associates is similar to ones with other firms such as DLZ and United Consulting. Such agreements allow for resolution of “quick-hit” projects. The first one is enumerated in Task Order No. 2, which is design of the food-waste receiving station, the grinder for which has been ordered.

Mayor Dennis asked what products are fed into the grinders currently. Mr. Henderson answered that preprocessed, ground-up food wastes are used. The grinder will allow WWTU to take less-processed organics, such as food preparation scraps. Mayor Dennis asked that the West Lafayette Community School Corporation be included; Mr. Henderson advised that there are ongoing discussions with the School Corporation. Wastewater Utility Director Henderson said that the microturbines are working well, and in the first half of 2010, about 15% of the WWTU electrical needs are being met on-site. The best two months were 18%. He remarked that there may be more gas production than there are microturbines available, and that he is looking for a grant to expand the

capacity of this area. Mr. Henderson stated that the amount of Task Order No. 2 is not to exceed \$13,500.

Ms. Stull moved that the agreement with M.D. Wessler & Associates and Task Order No. 2 be approved. Mr. Marley seconded the motion. The motion was adopted.

c. Lien Notice Administrative Fee – Clerk-Treasurer

Clerk-Treasurer Rhodes explained that her office is requesting Board approval for a \$7.00 administrative fee for each 60-day past due Wastewater notice, to comply with a State legislative mandate, which was effective July 1. The July 60-day past due notices will be sent this week, within the 20-day window. The City's mailing service charges \$4.88 for the required certified mailing. Additionally, there are several entries into the accounting system that must be made. Clerk-Treasurer Rhodes mentioned that this is an unwelcome mandate, since the City's system of notification of property owners and working with property management agents is one of the top in the State. She estimates that there may be as many as 1,500 notices sent per year; the current batch is over 200. Her recommendation is that the cost of this be passed on to rental owners, so that ratepayers are not subsidizing the Utility billings for rental property. The Utility billing staff respond to inquiries by email or phone, but property owners can avoid these fees by monitoring their accounts online and taking action directly. Many rental property owners pay their municipal sewage bills directly themselves, rather than have tenants pay them.

Mr. Marley moved that the request for the lien notice fees be approved. Ms. Stull seconded the motion.

Mayor Dennis added that this fee is in reaction to behavior on the part of the people to whom these notices will be sent. As Clerk-Treasurer Rhodes explained, there is an option for the property owners to get involved, to avoid these fees and keep their properties in compliance.

The motion was adopted.

d. Change Orders: INDOT/Rieth-Riley Construction Company – ARRA Salisbury Street Resurfacing Project – Engineering

City Engineer Buck stated that the change orders were for the resurfacing that the City was able to do as a part of the Stimulus Bill [American Recovery and Reinvestment Act of 2009]. The specific project was on Salisbury Street from Robinson Street to Fowler and Wiggins, a mill and resurface effort. He explained each change order:

i. Change Order No. 1 – \$1,188.98 (net) CREDIT

Less compacted aggregate material was necessary, the wedge-and-level process was not used, and there was additional pavement removal.

ii. Change Order No. 2 – \$9,770.06

Thermoplastic material was not available for pavement markings, due to a nationwide shortage. Instead, transverse pavement markings with a preformed plastic material made by 3M and paint were used. The plastic material should last 10 years.

iii. Change Order No. 3 – \$12,101.24 (net) CREDIT

There was not as much work needed on approaching streets, so not as much material was used.

iv. Change Order No. 4 – Time Extension

A two-day time extension was given to the contractor, due to utility relocation and repairs.

City Engineer Buck reported that the Area Plan Commission has submitted verification that the funds are available, but the net of the four change orders is \$3,520.16 CREDIT to the original contract.

Ms. Stull moved that the change orders be approved. Mr. Marley seconded the motion. The motion was adopted.

e. Perimeter Parkway, Phase 1A, Part 1 (Harrison Street and Williams Street) Items – Engineering

i. Agreement: INDOT – LPA for Project Coordination

City Engineer Buck reported that construction on Phase 1A, Part 1 will begin in 2011. The agreement is a standard one from INDOT, which is required between the Local Public Agency (LPA) and INDOT. The City of West Lafayette is the local public agency, the sponsoring entity using the federal funds for this project. This contract is for Phase 1A, Part 1. INDOT will do the bid-letting later this year and will sign the contract with the company that will do the actual construction. The federal portion of this contract will be about \$4.5 million; the City's share will be 10% (approximately \$500,000), and Purdue will pay 10% (approximately \$500,000). INDOT will manage the project and pay the bills.

Ms. Stull moved that the LPA project coordination contract with INDOT for Phase 1A, Part 1 be approved. Mr. Marley seconded the motion.

Mr. Marley asked if counsel should review the contract. Attorney Thomas Logan, substituting for City Attorney Burns, said that he was not aware that they had seen the contract, but that INDOT LPA agreements are standard, and there is not much negotiating with the State. City Engineer Buck said that he had forwarded the agreement to City Attorney Burns for review, and his comments pertained to reasonable attorney fees in the event of litigation, which is the standard phrasing the City uses in contracts. Mr. Buck said that, while the City could attempt to negotiate that with INDOT, it was not likely that INDOT would agree to it in the end, anyway.

The motion was adopted.

ii. Acquisition and Rights-of-Way for Land

City Engineer Buck said there were three parcels that are involved in this project for future right-of-way, additional right-of-way, and temporary right-of-way that the City needs to build and widen the street. Mr. Buck explained each parcel:

(a) Parcel 1

Parcel 1 is owned by Trustees of Purdue University. Parcel 1 and Parcel 1A have grants of perpetual easements for road and drainage facilities, which are being donated to the City. Parcels 1B through 1H have grants of temporary rights-of-way; these will be rights-of-way for the duration of the project, to

construct driveways and parking lots—things along the edge of the street, where there is connection back to the existing street, where the construction stops. The permanent easement will be recorded.

Mr. Marley moved that the permanent easement for Parcel 1 and Parcel 1A, and the temporary right-of-way for Parcel 1B through Parcel 1H be approved. Ms. Stull seconded the motion.

Mr. Marley asked how the road would look when it is completed. City Engineer Buck answered that it would look somewhat like Northwestern Avenue, with two lanes of traffic each way, and a sidewalk and a trail on each side. There would be a center median to help at the intersections for crossing. There would be turn lanes on some streets. Eventually there would be signals at Marsteller and Harrison, University and Harrison, Russell and Harrison, and a roundabout at Jischke and Harrison, where US231 has a spur that comes off the highway near the airport. The construction will likely take two years; the first year would be moving utilities, preparing tunnels, moving tunnels, etc. The road will be built half at a time, with no permanent closures. This will mean that the south side of campus will be difficult to maneuver, starting next year. The letting schedule with final tracing drawings is August, with a November bid opening. The US231 Relocation Project is scheduled to have bids opened in December. The US231 Relocation Project and the first phase of the Perimeter Parkway Project will be closely coordinated. The Perimeter Parkway Project is scheduled to begin in 2011, with completion by mid-August 2012.

The motion was adopted.

(b) Parcel 2

Parcel 2 is owned by Trustees of Purdue University. This involves permanent easements for Parcel 2 and Parcel 2A, and a temporary right-of-way for Parcel 2A. The right-of-way or perpetual easement to the City is being donated by the Trustees of Purdue University.

Mr. Marley moved that the permanent easement for Parcel 2 and Parcel 2A, and the temporary right-of-way for Parcel 2A be approved. Ms. Stull seconded the motion. The motion was adopted.

(c) Parcel 3

Parcel 3 is owned by Purdue Research Foundation, which is donating the right-of-way or perpetual easement to the City for the benefit of the project. There are a warranty deed for Parcels 3 and 3A, and a temporary right-of-way for Parcels 3B through 3D.

Ms. Stull moved that the warranty deed for Parcels 3 and 3A, and the temporary right-of-way for Parcels 3B through 3D be approved. Mr. Marley seconded the motion. The motion was adopted.

f. Claims

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| i. | AP Docket | \$ 51,579.77 | This docket amount reflects removal of one item from the claims listing for \$984.00, which will be resubmitted next week with a corrected account number. |
| ii. | AP Docket | 99,944.82 | |
| iii. | AP Docket | 576.00 | |
| iv. | AP Docket | 585.70 | |
| v. | PP Docket | 456,173..84 | |
| vi. | PR Docket | refund | |

Ms. Stull moved that the claims be approved. Mr. Marley seconded the motion.

Questions raised about individual claims by the Board were answered by department heads and Clerk-Treasurer Rhodes.

The motion was adopted.

g. Informational Items

- i. WWTU Projects Payment Listing
There were no questions or comments on the listing.

h. Other Items

- i. City Engineer Buck reported that Fairfield Contractors is paving Cumberland Avenue from US52 to Yeager Road. He is hopeful that the road will be opened in the next two weeks.
- ii. Councilor Hunt announced that the Council meeting is 6:30 p.m. today.

3. ADJOURNMENT

There being no further business to come before the Board, Mr. Marley moved that the meeting be adjourned, and Mayor Dennis adjourned the meeting.